

**LITTLER MENDELSON**  
A Professional Corporation  
Three Parkway, Suite 1400  
1601 Cherry Street  
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267-402-3000  
Attorneys for Defendant  
Gerdau Ameristeel Corp.

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

CHARLES MURRAY, on behalf of himself and all  
others similarly situated,

Civil Action No.:  
3:11-cv-00647 (FLW)(LHG)

Plaintiff,

vs.

GERDAU AMERISTEEL CORP. and JOHN  
DOES 1-10,

**NOTICE OF MOTION**

Defendants.

**(VIA ECF)**

**RETURNABLE JUNE 6, 2011**

TO: Justin L. Swidler, Esquire  
Swartz Swidler, LLC  
1878 Marlton Pike East, Suite 10  
Cherry Hill, New Jersey 08003

PLEASE TAKE NOTICE that on June 6, 2011, at 9:00 a.m., or as soon thereafter  
as counsel may be heard, the undersigned attorneys for Defendant Gerdau Ameristeel  
Corp. will move before this Court for the entry of an order, in the form attached hereto,  
dismissing the class action allegations from the Complaint of Plaintiff Charles Murray  
under Fed. R. Civ. P. 12(b)(6) and (f).

**PLEASE TAKE FURTHER NOTICE** that, in support of this Motion, Defendant will rely upon Gerdau's Brief in Support of Motion to Dismiss or, in the Alternative, Strike Portions of the Complaint.

Respectfully submitted,

/s/ Michele H. Malloy  
Michele H. Malloy  
Littler Mendelson, P.C.  
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mmalloy@littler.com  
Attorney for Defendant  
Gerdau Ameristeel Corp.

Dated: April 25, 2011

**LITTLER MENDELSON**  
A Professional Corporation  
Three Parkway, Suite 1400  
1601 Cherry Street  
Philadelphia, Pa 19102  
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Attorneys for Defendant  
Gerdau Ameristeel Corp.

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**(VIA ECF)**

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DOES 1-10,

Defendants.

**PROPOSED ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_, 2011, upon consideration of Defendant's Motion to Dismiss, or in the Alternative Strike Class Action Allegations, and Plaintiff's opposition thereto, it is ORDERED that Defendant's Motion is GRANTED. All references to a class action in the Complaint are dismissed, with prejudice.

BY THE COURT:

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Hon. Freda L. Wolfson

**CERTIFICATE OF SERVICE**

I, Michele H. Malloy, hereby certify that I caused a true and correct copy of Defendant's Notice of Motion, Brief in Support of Motion to Dismiss or, in the Alternative, Strike Portions of the Complaint and Proposed Order, via electronic filing on April 25, 2011, upon the following:

Justin L. Swidler, Esquire  
Swartz Swidler, LLC  
1878 Marlton Pike East, Suite 10  
Cherry Hill, New Jersey 08003

/s/ Michele H. Malloy

April 25, 2011